

REMARKS

Applicant concurrently files herewith a Request For Continued Examination (and fee) and an Excess Claim Fee Payment Letter for excess dependent claims.

Claims 1-61 are all the claims presently pending in the application.

New claims 56-61 have been added above to more completely define the present invention. Applicant notes that Ball and Tognazzini are completely silent regarding such features.

It is noted that the claims have been amended solely to more particularly point out Applicant's invention for the Examiner, and not for distinguishing over the prior art, narrowing the claim in view of the prior art, or for statutory requirements directed to patentability.

It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Attached hereto is a marked-up version of the changes made to the claims by the Preliminary Amendment. The attached pages are captioned "**Version with markings to show changes made**".

Early and favorable prosecution on the merits is respectfully requested.

In view of the foregoing, Applicant submits that claims 1-61, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

09/257,208
AM9-98-093

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0441.

Respectfully Submitted,



Sean M. McGinn, Esq.
Reg. No. 34,386

Date: 12/18/02
McGinn & Gibb, PLLC
8321 Old Courthouse Rd. Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

1 1. (Amended) A system for unobtrusively detecting a subject's level of interest in media
2 content, comprising:
3 means for detecting an object of said subject's attention;
4 means for measuring a subject's relative arousal level; and
5 means for combining information regarding said subject's arousal level and attention to
6 infer a level of interest,
7 wherein said measuring means includes means for measuring a physical attribute of said
8 subject.

1 12. (Amended) A system for unobtrusively detecting an object of a subject's interest in media
2 content, comprising:
3 means for detecting an object of said subject's attention;
4 means for measuring the subject's relative arousal level; and
5 means for combining information regarding said subject's arousal level and attention to
6 infer the object of interest,
7 wherein said measuring means includes means for measuring a physical attribute of said
8 subject.

1 23. (Amended) A method of unobtrusively detecting a subject's level of interest in
2 media content, comprising:
3 detecting a subject of said subject's attention;
4 measuring a subject's relative arousal level; and
5 combining information regarding said subject's arousal level and attention to infer a

6 level of interest,

7 wherein said measuring includes measuring a physical attribute of said subject.

1 34. (Amended) A method of unobtrusively detecting the object of a subject's interest
2 in media content, comprising:

3 detecting the object of said subject's attention;

4 measuring the subject's relative arousal level; and

5 combining information regarding the subject's arousal level and attention to infer the
6 object of interest,

7 wherein said measuring includes measuring a physical attribute of said subject.

1 45. (Amended) A method for detecting a person's level of interest in media content,
2 comprising:

3 assessing whether a person is attending to the media content, to produce first data;

4 assessing a person's relative arousal level with regard to the media content, to produce
5 second data;

6 combining said first and second data to infer a level of interest the person has in said
7 media content; and

8 communicating said level of interest as feedback about the media content to a
9 manager of said media content,

10 wherein said first data and said second data are based upon measurements of a physical
11 attribute of said person.

1 53. (Amended) A signal-bearing medium tangibly embodying a program of machine-readable
2 instructions executable by a digital processing apparatus to perform a method for
3 computer-implemented unobtrusive detection of a subject's level of interest in media content,
4 said method comprising:

5 detecting an object of said subject's attention;

6 measuring a subject's relative arousal level; and
7 combining information regarding said subject's arousal level and attention to infer a
8 level of interest,
9 wherein said measuring includes measuring a physical attribute of said subject.

1 54. (Amended) A signal-bearing medium tangibly embodying a program of machine-readable
2 instructions executable by a digital processing apparatus to perform a method for
3 computer-implemented unobtrusive detection of a subject's level of interest in media content,
4 said method comprising:

5 assessing whether a subject is attending to the media content, to produce first data;
6 assessing a subject's relative arousal level with regard to the media content, to produce
7 second data;

8 combining said first and second data to infer a level of interest the subject has in said
9 media content; and

10 communicating said level of interest as feedback about the media content to a
11 manager of said media content,

12 wherein said measuring means includes means for measuring a physical attribute of said
13 subject.

1 55. (Amended) A system for unobtrusively measuring a subject's interest in media content,
2 comprising:

3 a detector for detecting an object of a subject's attention;

4 a measuring device which measures a subject's arousal level; and

5 an inference engine which infers subject's interest level based on a said arousal level,

6 wherein said measuring means includes means for measuring a physical attribute of said
7 subject.